

Docket No. 36360/1.13

In re application of

J. Spencer Grant et al.

Confirmation No. 7395

Application No. 09/815,885

Filed: March 23, 2001

For: **METHOD AND APPARATUS FOR
CHARACTERIZING AND
ESTIMATING THE PARAMETERS
OF HISTOLOGICAL AND
PHYSIOLOGICAL BIOMETRIC
MARKERS FOR AUTHENTICATION**

Group Art Unit: 3766

Examiner: Reidel, Jessica L

Attorney Docket No. 36360/1.13

Date: September 1, 2007

TERMINAL DISCLAIMER IN ACCORDANCE WITH 37 C.F.R. §1.321(C)

Ensign Holdings, LLC., a limited liability company of the State of Utah (hereinafter Petitioner), having a principal place of business at 275 East South Temple, Suite 250, Salt Lake City, Utah 84111, by and through Larry V. Lunt (hereinafter Declarant), its Manager, represents that it is the assignee of the entire interest of the above-identified application (hereinafter "Subject Application"), and also of co pending Application No. 09/814,607.

Petitioner hereby disclaims the terminal part of any patent granted on the Subject Application which would extend beyond the expiration date of the full statutory term of the co pending Application, said Application No. 09/814,607, and hereby agrees that any patent so granted on the Subject Application shall be enforceable only for and during such period that the

legal title to said patent shall be the same as the legal title to said Application No. 09/814,607, this agreement to run with any patent granted on the above-identified Subject Application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified Subject Application that would extend beyond the term of said Application No. 09/814,607 in the event it: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); has all claims cancelled by a reexamination certificate; or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Declarant further declares that all statements made herein of Declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED this 1st day of September, 2007.

Respectfully submitted,

Ensign Holdings, LLC. By,



Larry V. Lunt, Manager